

# **SOUTH WEBER CITY COUNCIL MEETING**

**DATE OF MEETING:** 10 March 2015

**TIME COMMENCED:** 6:04 p.m.

**PLEDGE OF ALLEGIANCE:** Mayor Long

**PRAYER:** Council Member Thomas

**PRESENT: MAYOR:**

Tammy Long

**COUNCILMEMBERS:**

Scott Casas  
Randy Hilton  
Michael Poff  
Marlene Poore  
David Thomas

**CITY RECORDER:**

Tom Smith

**CITY MANAGER:**

Duncan Murray

Transcriber: Minutes transcribed by Michelle Clark

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***A PUBLIC WORK MEETING was held at  
5:30 p.m. to  
REVIEW AGENDA ITEMS***

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**VISITORS:** Shawn Flinders, Robert Flinders, Adam Zick, Kaleb Zick, Reggie Carlisle, Jayce Smith, Kegan Zick, Jacob Hansen, Aaron Wright, Drew Shaffer, Grayson Freestone, Brian McKenzie, Curtis Koch, Darla Lucas, David Lucas, and Doug Austin.

Mayor Long called the meeting to order and welcomed those in attendance including Troop #333.

**APPROVAL OF THE AGENDA:** Council Member Poff moved to approve the agenda as written. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**CONFLICT OF INTEREST:** There was none

**CONSENT AGENDA:**

- Approval of February 24, 2015 City Council Work Meeting Minutes
- Approval of February 24, 2015 City Council Meeting Minutes

**Council Member Poff moved to approve the consent agenda. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, and Poore voted yes. Council Member Thomas abstained because he wasn't present at the meeting. The motion carried.**

**REPORTS:**

**City Manager's Budget Preparation Report and Bid Invitation Report:** Duncan explained he has been going through the budget process with the department heads. He said the goal is to be working our way to budget committees. He said they are looking at budget codes.

Duncan said the contractor's and builder's list is being updated. He said every time the City has a project then the bid announcement will go by email to everyone on that list. He said they will continue to keep that list up to date making sure that local companies are included as well. Council Member Poff thanked Council Member Poore for her efforts with this.

**Brian McKenzie and Darla Lucas with the Davis County Clerk's Office:** Brian McKenzie and Curtis Koch of the Davis County Clerk's office approached the City Council. Mr. McKenzie stated they are looking at options of voting (i.e. vote by mail). Council Member Thomas asked if the vote by mail is more expensive and what is the participation rate. Mr. McKenzie said for city elections there will be an increase in cost. He said a vote by mail provides a ballot to 100% of the voting population. He said they haven't had municipalities do a vote by mail before. He said the County election did have a higher percentage with vote by mail. He said there will be better engagement from the voters with vote by mail. Council Member Thomas asked about voter fraud. Mr. McKenzie said whether you vote by mail or location a history is generated. He said it is transmitted using voter registration. He said the ballot is mailed directly to the voter's home and can't be forward to a voter if they have moved. The voter also signs the ballot and the signature is compared to the signature on file. If it doesn't match, the voter is contacted. He said for military voters or out of state individuals, they receive an absentee ballot. Council Member Thomas asked about provisional ballots. Mr. McKenzie said traditionally you still maintain the polling location for those who recently moved into the City etc. He said if there are traditional voters, they can still have the option to vote at the polling location. He said their plan or goal is to always have a polling location. He said they are a necessity for those who need to have that accessible to them. Council Member Poff asked about the 2014 general election. Mr. McKenzie said there was a 49% turn out.

Council Member Poff asked about voting equipment. Mr. McKenzie said the City can do it by itself and the County provides a paper book of who is registered to vote in the City. Mr. McKenzie said if you want to contract with us, we need to know by April 1<sup>st</sup>. Council Member Poff thanked Mr. McKenzie and Darla Lucas. Darla Lucas, 7641 S. 1750 E., said she has previously ran elections in South Weber and there is more room for error in counting votes. She thinks ballots by mail are a trend and will happen. She feels it is safe. She is impressed with the leadership at the County to facilitate elections.

**APPROVALS:**

**2015 Municipal Elections Budget/Expenses:** Tom explained there is a breakdown of what has been allocated for elections. He said the expense to vote by mail would be \$5,636.31, less the South Weber Water District \$1,916.34, amount due by the City would be \$3,719.96 Council Member Thomas asked what is budgeted for elections. Duncan said he doesn't have the exact number but he thinks it is in the budget. Council Member Thomas is not opposed to vote by mail and thinks it may not be a bad idea to see if we can get a higher turnout. Tom asked about a primary election. Mr. McKenzie said the \$5,636.31 is just for general election. He recommends doing a vote by mail for primary election as well to not confuse the voters.

**Council Member Poff moved to table until the last meeting in March so that the Council can decide which option for voting. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Request by Bob Flinders to reduce the dedicated right of way by 5' in front of his existing house located at 7486 S. 1900 E. which is part of the proposed Udy Acres Subdivision:**

Duncan said this proposed subdivision has been discussed by the Planning Commission. This is a request by Mr. Flinders to reduce the dedicated right of way in front of his home. He said historically the City street standard width of 60 ft. but in the last few years it changed to a width of 70 ft. He explained that this proposed subdivision does have two existing houses with the additional lots. He said typically, any new standard, once it is adopted it applicable to new applicants. If this request is granted, then it would be 5 ft. less of grass strip with the possibility of the sidewalk going next to the curb. He suggested the Council keep in mind that this may set a precedent for others in the area.

**Bob Flinders, 7486 S. 1900 E.,** said he has been a resident of South Weber City for 40 years. He recognized Dave Lucas who was in the junior posse years ago. He also thanked the Scouts for their attendance. He explained that the gated road coming out of Cedar Cove PUD has an asphalt width of 25 ft. wide. He said the new road will affect his privacy. He said the City did take 37 ft. from his property including four huge pine trees. He thinks it is time to use some common sense. He also feels the gated road needs to be opened. He said the road in front of the Ukena and Stark property is only 36 ft. wide of asphalt.

Council Member Poff said when the ordinance was amended to a 70 ft. right of way, he thinks there was some wiggle room. He said granting a request like this is difficult right now when we haven't seen the subdivision plat. Mr. Flinders said years ago when this came before the City Council, he told the developer that he would donate 12 ft. of his property. He said he can't maintain the property anymore so he is willing to sell.

Duncan explained that the asphalt curb and gutter would be in the same place, but it would eliminate the grass space. He said the City Engineer doesn't want to see the asphalt width change. Duncan said if you change the asphalt width then you are going against the City ordinance. He suggested reviewing the actual drawings of how this would look.

**Council Member Thomas moved to direct staff to work with the applicant including the subdivision applicant to present a scaled version of what this would look like with 70 ft. and**

60 ft. and how they interplay with existing roads and bring it back in two weeks. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**Resolution 15-10: Davis County for Elections:** South Weber City is authorized and required to hold municipal elections in each odd-numbered year. Davis County has equipment and resources needed to carry out an election and is willing to make available the resources and equipment to assist South Weber City in holding its municipal election in 2015. The City will pay the County the costs for providing the election equipment, services and supplies in accordance with the election costs schedule.

Council Member Poff moved to table Resolution 15-10. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**Check Register: February 1-15, 2015:** Duncan asked if there were any questions concerning the check register for February 1-15, 2015. Council Member Poff would like to take off the names of those individuals who are referees. Duncan has discussed that with Paul and Mark.

Council Member Poff moved to approve the check register for February 1-15, 2015. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**Budget to Actual January 2015:** Duncan asked if there were any questions concerning the budget to actual January 2015. Council Member Poore would like to know more about \$100,000 equipment cost to Fire Department and said it should be \$50,000. Duncan said they can take care of that with a budget amendment. He said he will research what the past amount is and identify if there is any additional funds. Council Member Casas asked about judicial employee retirement expenses on page 3. Council Member Thomas said an employee retired and so there was a pay out of sick leave, etc. Council Member Casas is concerned about the newly installed gate at the Public Works Office being under the wrong code. Duncan said that was miscoded.

Council Member Poff moved to approve the budget to actual for January 2015. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**Resolution 15-08: Appointment of a City Arborist/Forester:** Duncan stated it is recommended that Doug Austin, of 2550 E. 7800 S. be appointed as the City Arborist/Forester for a period of approximately three years (24 February 2015 to 3 January 2018). He said he is a carrier forester with the U.S. Forest Service. He explained that the process of becoming a Tree City U.S.A. requires a forester. He said Mr. Austin will help locating trees in different areas of the City. Mr. Austin said he has worked in for several different States. He is glad to furnish his skills to the City.

**Council Member Casas moved to approve Resolution 15-08 as written. Council Member Thomas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Resolution 15-09: Ratify the surplus of a 1973 Kaiser model Jeep, and a 1981 Chevrolet model K30:** Tom stated this resolution will ratify the surplus of a 1973 Kaiser model Jeep and a 1981 Chevrolet model K30. He said the bid ended on the 1981 Chevrolet model K30 yesterday and the bidder will be awarded the vehicle on Monday. The Chevy K30 sold for \$3,000. The 1973 Kaiser model Jeep is currently being bid on. It will close Friday.

**Council Member Poff moved to approve Resolution 15-09 as written. Council Member Poore seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Resolution 15-11: To Amend and Adopt Main City Building Office Hours:** Duncan stated this resolution will amend and adopt the Main City Building Office hours that the front door is open to the public from Monday to Thursday 8:00 a.m. to 5:00 p.m. and Friday from 7:00 a.m. to 11:00 a.m. He explained that two Thursdays a month the City is open from 4:00 p.m. to 6:00 p.m. for court business. He said they typically will not turn anyone away during those hours.

**Council Member Poff moved to approve Resolution 15-11 as written. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Resolution 15-12: Timing of Public Hearing Notices for Land Use Ordinances and Applications:** Duncan explained that this resolution will allow the City Council to adopt a rule that requires that a public hearing shall be scheduled, with any recommendation from the Planning Commission to be reviewed, during the next available 2<sup>nd</sup> or 4<sup>th</sup> regular Tuesday City Council meeting which is at least 12 days after the meeting when the Planning Commission gave the recommendation. Council Member Thomas said the statute says at least 10 days. He isn't sure there is a need for the resolution. Council Member Poff suggested Duncan research city code to make sure it is consistent.

**Council Member Thomas moved to table Resolution 15-12. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**DISCUSSION ITEMS (and possible action thereon):**

**Weber Trailhead/Cottonwood Drive Shoulder repairs:** Duncan reported that the Public Works Department had some gravel on hand and completed the shoulder repairs on both side of Cottonwood Drive. This will help preserve the shoulder. He noted that in the future there will be a parking lot constructed. Duncan reported that Cottonwood Drive is so damaged that it couldn't be overlaid. He said most of the traffic is going to Uintah and there may be a possibility

of asking them to help with the cost. He said there are issues with parking in front of individual driveways and trash. Council Member Casas said it is getting used frequently with the trailhead. He was hoping for the gravel to be wider.

**Community Fundraising:** Duncan explained he would like to look at working with volunteers, business donations, etc. He would like to focus on grants for Canyon Meadows Park second baseball diamond. He said Council Member Hilton recently donated his time to install new shingles at the Civic Center. Duncan discussed improvements at the park and ride, entry way sign to the City (work with Dan Murray), and working with Highmark Charter School concerning the retention pond. He reported that the school is willing to install a sprinkling system and grass along with long term maintenance if they can use it. He said the City Engineer did a cost estimate to put a storm water pipe under ground. Council Member Casas is in favor of this project because it is an eyesore. Duncan will put together a draft of a proposed agreement with the school.

**Council Member Hilton moved to . Council Member Poore seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Initial Draft of the Vehicle Replacement Plan:** Tom reviewed the rough draft for a vehicle replacement plan for the City and stated the City Council needs to decide how to rotate the vehicles. Tom reviewed what the City has and what needs to be proposed. The Council would like to get the financial aspect in place first.

### **MAYOR'S ITEMS:**

**Attended Meeting at HAFB:** She attended a meeting at HAFB concerning the F-35's.

### **PUBLIC COMMENTS:**

**Reggie Carlisle, 2032 Canyon Drive,** thanked the City Council for letting the Scouts come. He feels the court hours of 4:00 p.m. to 6:00 p.m. should be advertised to see if there is any interest.

**Adam Zick, 7522 Kay Lane,** concerning the voting, he is concerned about individuals trying to vote twice with vote by mail. Council Member Poff said the ballot is updated in the database and won't allow for a second vote.

### **COUNCIL MEMBER ITEMS:**

#### **Council Member Casas:**

**City Business License 2015:** He would like the City business licenses to be shown on the City web-site.

**Park and Ride Pole:** He asked Duncan to follow up on the park and ride street light pole repair.

**Road to Water Tank:** He suggested the City Council have the conversation some day concerning a third way out of South Weber City via the road to the water tank.

**Council Member Poff:**

**Youth Council Leadership Conference:** They will be attending the USU Leadership Conference this Thursday.

**Council Member Hilton:**

**Missing Trucks:** He would like to know if any information has been collected from the City Attorney. Duncan reported that we are still waiting to hear from him.

**Council Member Thomas:**

**Senate Bill 124:** He is concerned that it further defines completion improvements namely #1 Assignment of rights and, #2 A lien. Instead of putting in infrastructure, a lien is taken out. He said this may be difficult for cities to put in the improvements.

**CITY MANAGER ITEMS:**

**Audit Questions:** Duncan said if anyone has any audit questions, please get them to him by Thursday.

**Utah League of Cities and Towns Meetings/ review of Legislative bills:** Duncan reported on Class C road funds. He said the State has less and less funds every year. He said the challenge is for cities to put away enough funds to maintain roads. He also discussed the sales tax bill. Duncan said the League staff is very proactive, organized, and involved. He has been so impressed them.

**Adopt a policy for City Security System GRAMA requests:** Council Member Poff asked if anything has been done concerning a policy for the City security system for GRAMA requests. Tom reported that this will be available in May.

**CITY RECORDER'S ITEMS:**

**Central Weber Water District Tour:** This has been rescheduled for March 19<sup>th</sup>.

**ADJOURNED:** Council Member Poore moved to adjourn the City Council Meeting at 8:37 p.m. Council Member Casas seconded the motion. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Mayor: Tammy Long

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest: \_\_\_\_\_  
City Recorder: Tom Smith